

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RIGOBERTO SALINAS,

Petitioner,

Crim. No. 00-80581-09

Civil No. 04-72875

-vs-

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

UNITED STATES OF AMERICA

Respondent.

ORDER: (1) ACCEPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION AND (2) DENYING PETITIONER'S MOTION,
PURSUANT TO 28 U.S.C. §2255 TO VACATE, SET ASIDE, OR CORRECT HIS
CONVICTION AND SENTENCE

The Court has reviewed the Magistrate Judge's Report and Recommendation, filed on November 30, 2004 and any objections filed thereto.

IT IS ORDERED that the Report and Recommendation is accepted and entered as the findings and conclusions of this Court, and Petitioner's Motion, pursuant to 28 U.S.C. §2255 to vacate, set aside, or correct his conviction and sentence is DENIED.

/s/ Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

DATED: 4/29/05